

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

ANDREW DOE

PLAINTIFF

V.

CIVIL ACTION NO. 3:18-cv-138-DPJ-ASH

**STATE OF MISSISSIPPI; THE UNIVERSITY OF
MISSISSIPPI; STATE INSTITUTIONS OF HIGHER
LEARNING (“IHL”), ET AL.**

DEFENDANTS

DEFENDANTS’ SECOND MOTION FOR SUMMARY JUDGMENT

Pursuant to FED. R. CIV. P. 56, Defendants respectfully move the Court to grant summary judgment and dismiss Plaintiff Andrew Doe’s remaining claim. In support, Defendants state as follows:

1. Plaintiff cannot recover emotional distress damages under Title IX;
2. Plaintiff cannot prove other compensatory damages;
3. Doe lacks standing to pursue his Title IX claim.

In support of this motion, Defendants rely on the pleadings and papers of record, as well as the following exhibits:

Exhibit A January 27, 2024 Deposition of Andrew Doe (CONFIDENTIAL);

Exhibit B February 6, 2024 30(b)(6) Deposition of Employer (CONFIDENTIAL);

Exhibit C February 7, 2024 Deposition of Nancy Favaloro (CONFIDENTIAL).

Defendants are filing separately their Memorandum in Support of their Second Motion for Summary Judgment and adopt herein all arguments set forth in the Memorandum.

FOR THESE REASONS, Defendants respectfully request the Court to grant summary judgment and dismiss Plaintiff’s claims with prejudice. Defendants request such other relief as the Court deems appropriate under the circumstances.

Dated: March 8, 2024

Respectfully submitted,

**STATE OF MISSISSIPPI; THE UNIVERSITY OF
MISSISSIPPI; STATE INSTITUTIONS OF HIGHER
LEARNING (“IHL”); THE BOARD OF TRUSTEES
OF STATE INSTITUTIONS OF HIGHER
LEARNING; C.D. SMITH, JR.; SHANE HOOPER;
TOM DUFF; DR. FORD DYE; ANN H. LAMAR;
DR. ALFRED E. MCNAIR, JR.; CHIP MORGAN;
HAL PARKER; ALAN W. PERRY; CHRISTY
PICKERING; DR. DOUG ROUSE; DR. J. WALT
STARR; GLENN F. BOYCE; JEFFREY S. VITTER**

/s/ Paul B. Watkins, Jr.

J. CAL MAYO, JR. (MB NO. 8492)

PAUL B. WATKINS, JR. (MB NO. 102348)

J. ANDREW MAULDIN (MB NO. 104227)

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